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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Rudolf Eckardt and Hans-Joachim Jansch

Serial No.: 09/447,490

Filed on November 23, 1999

For PROCESS FOR PRODUCING CARBAMAZEPINE

Attorney's Docket 0691-018A/GPK

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Box Amendment - No Fee

Hon. Commissioner of Patents and Trademarks
Washington DC 20231

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MB 10/00

RESPONSE

Sir:

Responsive to the Office letter mailed on March 1, 2000, please amend claim 8, line 3, by deleting "optionally".

REMARKS

"Optionally" was deleted from claim 8, as being superfluous.

It is respectfully submitted that the rejection on the basis of alleged new matter, is not well taken. Original claim 1, as also claim 8, specify "aqueous acetic acid," (which means acetic acid and water), "with water or alcohol," which means aqueous acetic acid either with more water or with just the original amount of water and alcohol. Accordingly, this wording includes acetic acid, water, and alcohol. as one alternative to aqueous acetic acid with alcohol, i.e. acetic acid, water, and alcohol, i.e. aqueous alcohol. Hence the recitation of the amendment of February 7th, does not introduce any new matter, as water acetic acid and alcohol were simultaneously present already in the original claims. Accordingly, the contents of paragraphs 3-5 of the outstanding Office letter are inapplicable.

The present invention is based on the recognition that when reacting
(i) iminostilbene with (ii) an alkyl cyanate, (iii) in the presence of aqueous acetic